

1 BILL NO. Z-84-01-11

2 ZONING MAP ORDINANCE NO. Z

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. R-10.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby designated
8 a B-3-B (General Business) District under the terms of Chapter 33 of the
9 Code of the City of Fort Wayne, Indiana of 1974:

10 The West 2 Acres of Sublot 4 Lot 2 Ewings
11 Sublots, T 34 N, R 13 E, to contain 3.41
12 acres, more or less, according to the
13 plat recorded in Deed Record 61, page 433,
in Allen County, Indiana

14 and the symbols of the City of Fort Wayne Zoning Map No. R-10, as established
15 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
16 are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be in full force and effect
18 from and after its passage and approval by the Mayor.

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21 APPROVED AS TO FORM AND LEGALITY:

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24 BRUCE O. BOXBERGER, CITY ATTORNEY
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COUNCILMEMBER

Read the first time in full and on motion by Bradbury, seconded by Valencia, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____.M.,E.S.

DATE: 1-10-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	<u>9</u>	_____	_____	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GiaQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>HENRY</u>	_____	<u>✓</u>	_____	_____	_____
<u>REDD</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 3-27-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Presiding Officer
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____.M.,E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

/We Mildred D Graves

(Applicant's Name or Names)

I do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B3B District the property described as follows:

3714 Lake Avenue, Fort Wayne, Indiana 46805

~~West 2 Acres Sub 4 Lot 2 Section 5 T30N R13E (Adams County)~~

The West 2 Acres of Sublot 4 Lot 2 Ewings Sublots, T 34 N, R 13 E, to contain

~~Book 389 Page 448 May 22, 1945~~

3.41 acres, more or less, according to the plat recorded in Deed Record 61, page 433, in Allen County, Indiana.

Legal Description) If additional space is needed, use reverse side.

General Description for Planning Staff Use Only)

/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Mildred D Graves

2626 Santa Anna
Grand Prairie, Texas
75050

~~X~~ Mildred D. Graves

(Name)

(Address)

(Signature)

If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Thomas L Bill

2725 East Drive Fort Wayne,
Indiana 46805

(219)483-2330

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 10, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-01-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 16, 1984 and March 5, 1984;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

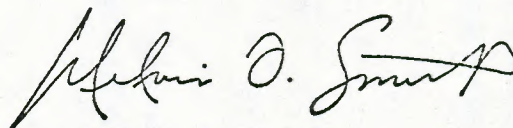
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1984.

Certified and signed this
6th day of March, 1984.



Melvin O. Smith
Secretary

BILL NO. Z-84-01-11

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. R-10.

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE No Not PASS.

JANET G. BRADBURY, CHAIRWOMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

CHARLES B. REDD

MARK E. GIAQUINTA

JAMES S. STIER

Janet G. Bradbury
Samuel J. Talarico
Charles B. Redd
Mark E. Giaquinta
James S. Stier

CONCURRED IN 3-27-84
SANDRA E. KENNEDY, CITY CLERK

RECEIPT

No 9079

COMMUNITY DEVELOPMENT & PLANNING

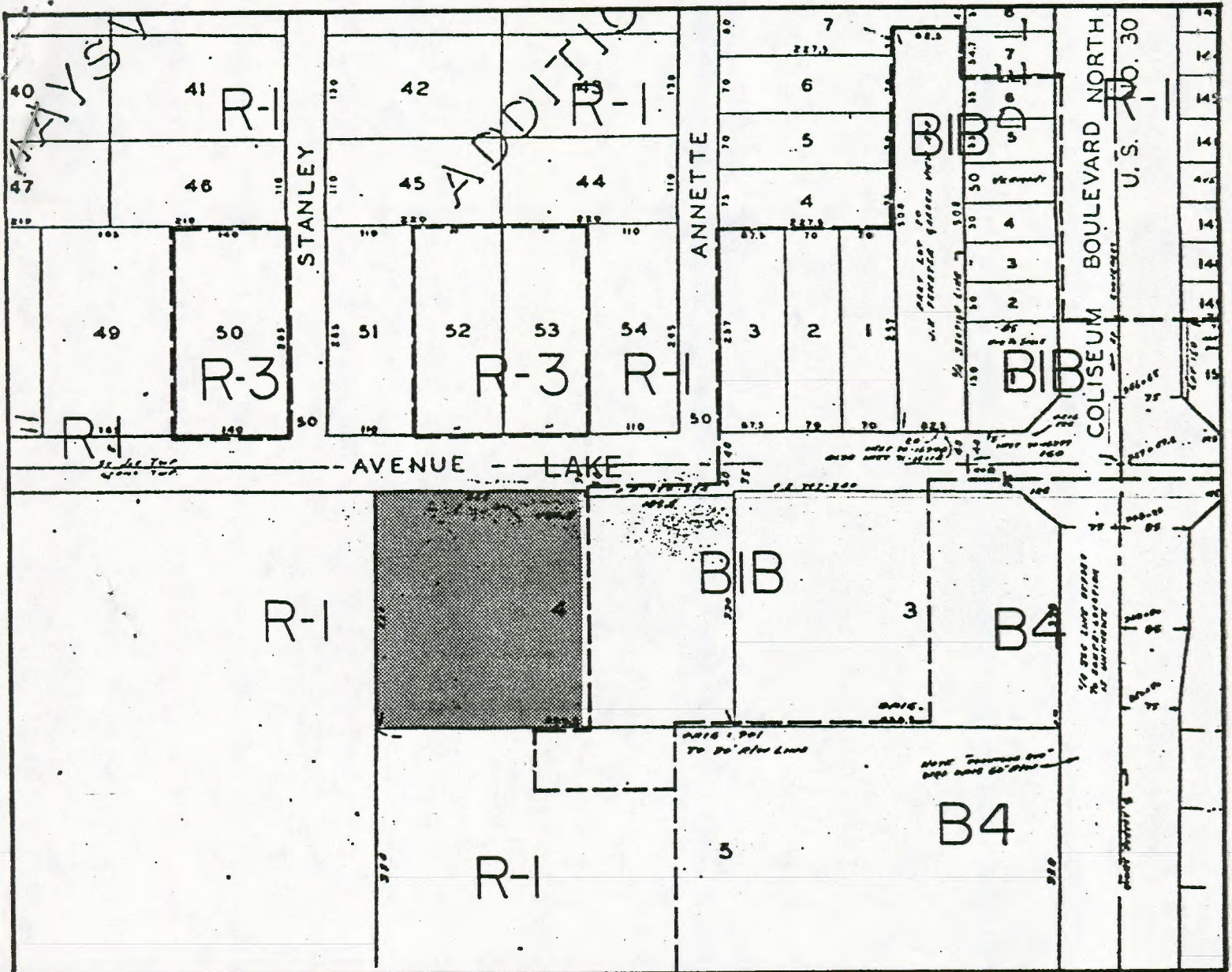
FT. WAYNE, IND., November 2 1983


RECEIVED FROM Mildred Groves \$ 50⁰⁰

THE SUM OF Fifty dollars 00 DOLLARS
100

ON ACCOUNT OF Payroll Filing Fee 3714 Filing Fee

Guy Butler
AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO A B3B DISTRICT.

MAP NO. R-10

Z-84-01-11



11-17-83



THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

6 March 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held March 5, 1984. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-84-01-11
2. From R-1 to B-3-B
3. Intended Use: Unknown
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

REASON: Petitioner did not appear at two public hearings and therefore the Commission was given no reason(s) for the request to be granted.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



ORIGINAL

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-84-01-11

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE West 2 acres of Sublot 4 Lot 2 Ewings Sublots, more
commonly known as 3714 Lake Avenue.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.
Property will become B-3-B - General Business.

EFFECT OF NON-PASSAGE Property will remain R-1 Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____